

1 DAVID C. ANDERSON, ESQ., State Bar # 83146  
LAW OFFICE OF DAVID C. ANDERSON  
2 450 Sansome Street, 3<sup>rd</sup> Floor  
San Francisco, CA 94111  
3 Telephone: (415) 788-1588  
Facsimile: (415) 788-1598

5 Attorneys for Plaintiff  
DENISE SALERNO, individually  
6 and as Administrator of the  
ESTATE OF ARTHUR ANTHONY SALERNO, JR. (Decedent)

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA - SAN FRANCISCO**

11 DENISE SALERNO, individually and as  
12 Administrator of the ESTATE OF }  
13 ARTHUR ANTHONY SALERNO, JR. }  
(Decedent), }  
14 Plaintiffs,  
15 vs.  
16 COUNTY OF BUTTE, CALIFORNIA;  
17 SHERIFF/CORONER PERRY L.  
18 RENIFF; STATE OF CALIFORNIA;  
19 CALIFORNIA HIGHWAY PATROL;  
20 CALIFORNIA HIGHWAY PATROL  
21 COMMISSIONER MIKE BROWN;  
22 SARGENT S. MUDERS, Badge No. 9613,  
23 individually and in his official capacity as a  
24 CALIFORNIA HIGHWAY PATROL  
25 Officer; OFFICER M.E. ORTIZ, Badge  
Officer; OFFICER G.  
CORNWELL, Badge No. 10569,  
individually and in his official capacity as a  
CALIFORNIA HIGHWAY PATROL  
Officer; and DOES 1 through 100,  
inclusive,  
Defendants.  
No. C07 4336MEJ  
RETURN OF SERVICE (Of Summons,  
Complaint, etc.)  
JURY TRIAL DEMANDED

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		Case No. C07 4336 MEJ
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE 9-19-07 3:57 pm	
NAME OF SERVER (PRINT) Roy E. Helms, Butte Co. #86	TITLE Registered California Process Server	
<i>Check one box below to indicate appropriate method of service</i>		
<input checked="" type="checkbox"/> Served personally upon the defendant. Place where served: Served Sargent S. Muders, Badge No. 9613, individually and in his official capacity as a California Highway Patrol Officer at 2027 Third St, Oroville, CA		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.		
Name of person with whom the summons and complaint were left:		
<input type="checkbox"/> Returned unexecuted:		
<input type="checkbox"/> Other (specify):		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00 \$65
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on <u>9-21-07</u> Date</p> <p><i>Roy E. Helms</i> Signature of Server</p>		
<u>1537 Fourth Street, PMB 152, San Rafael, CA 94901</u> <i>Address of Server</i>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

**DOCUMENTS SERVED:**

1. Summons
2. Complaint
3. Civil Case Cover Sheet
4. Public Notice
5. Order Setting Initial Case Management Conference and ADR Deadlines
6. Case Management Standing Order (Magistrate Judge Maria-Elena James)
7. Standing Order RE: Discovery and Dispute Procedures for Cases Assigned or Referred to Mag. Judge Maria-Elena James
8. Joint Case Management Statement and [Proposed] Case Management Order (blank)
9. Notice of Trial Assignment to U.S. Mag. Judge and Order to File Consent/Request for Reassignment Form
10. Consent to Assignment or Request for Reassignment (blank)
11. Notice of Assignment of Case to a U.S. Mag. Judge for Trial
12. Consent to Proceed Before a U.S. Mag. Judge (blank)
13. Declination to Proceed Before a Mag. Judge and Request for Reassignment to a U.S. District Judge
14. ECF Registration Information Handout

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7 SHERIFF/CORONER PERRY L.  
8 RENIFF; STATE OF CALIFORNIA;  
9 CALIFORNIA HIGHWAY PATROL;  
10 CALIFORNIA HIGHWAY PATROL  
11 COMMISSIONER MIKE BROWN;  
12 SARGENT S. MUDERS, Badge No. 9613,  
13 individually and in his official capacity as a  
14 CALIFORNIA HIGHWAY PATROL  
15 Officer; OFFICER M.E. ORTIZ, Badge  
16 No. 16562, individually and in his official  
17 capacity as a CALIFORNIA HIGHWAY  
18 PATROL Officer; OFFICER G.  
19 CORNWELL, Badge No. 10569,  
20 individually and in his official capacity as a  
21 CALIFORNIA HIGHWAY PATROL  
22 Officer; and DOES 1 through 100,  
23 inclusive,  
24 Defendants.  
25

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No. C07 4336MEJ  
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<i>Check one box below to indicate appropriate method of service</i>		
<input checked="" type="checkbox"/> Served personally upon the defendant. Place where served: Served Officer M.E. Ortiz, Badge No. 16562, individually and in his official capacity as a California Highway Patrol Officer at 2072 Third St, Oroville, CA		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.		
Name of person with whom the summons and complaint were left:		
<input type="checkbox"/> Returned unexecuted:		
<input type="checkbox"/> Other (specify):		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00 \$65
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on <u>9-21-07</u> Date</p> <p><i>Roy E. Helms</i> Signature of Server</p> <p><u>1537 Fourth Street, PMB 152, San Rafael, CA 94901</u> Address of Server</p>		

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8. Joint Case Management Statement and [Proposed] Case Management Order (blank)
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10. Consent to Assignment or Request for Reassignment (blank)
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18 RENIFF; STATE OF CALIFORNIA;  
19 CALIFORNIA HIGHWAY PATROL;  
20 CALIFORNIA HIGHWAY PATROL  
21 COMMISSIONER MIKE BROWN;  
22 SARGENT S. MUDERS, Badge No. 9613,  
23 individually and in his official capacity as a  
24 CALIFORNIA HIGHWAY PATROL  
Officer; OFFICER M.E. ORTIZ, Badge  
No. 16562, individually and in his official  
capacity as a CALIFORNIA HIGHWAY  
PATROL Officer; OFFICER G.  
CORNWELL, Badge No. 10569,  
individually and in his official capacity as a  
CALIFORNIA HIGHWAY PATROL  
Officer; and DOES 1 through 100,  
inclusive,  
25 Defendants }  
No. C07 4336MEJ  
RETURN OF SERVICE (Of Summons,  
Complaint, etc.)  
JURY TRIAL DEMANDED

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE Case No. C07 4336 MEJ		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE 10-1-07 9:10 am	
NAME OF SERVER (PRINT) Roy E. Helms, Butte Co. #86	TITLE Registered California Process Server	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served:  <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: <input type="checkbox"/> Returned unexecuted:  -Substitute Service <input checked="" type="checkbox"/> Other (specify): -Served Officer G. Cornwell, Badge No. 10569, individually and in his official capacity as a California Highway Patrol Officer by leaving with Joyce Gutierrez - Legal Clerk at 2027 Third St, Oroville, CA		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00x \$65
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on <u>10-2-07</u> Date	 <i>Signature of Server</i>	
<u>1537 Fourth Street, PMB 152, San Rafael, CA 94901</u> <i>Address of Server</i>		
Due Diligence:		
9-19-07 3:57 pm - Not in 9-24-07 8:45 am - Not in 10-1-07 9:10 am - Not in		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

1  
2                   **DECLARATION OF MAILING, Case No. C07 4336 MEK**

3                   I, Matthew Anderson, certify that I am not a party to the proceeding herein, that I am and  
4 was at the time of service over the age of 18 years old, and a resident of the State of  
5 California.  
6

7                   My business address is 1537 Fourth St, PMB 152, San Rafael, CA 94901.  
8

9                   On October 2, 2007 I mailed from San Rafael, CA the following documents by enclosing  
10 them in an envelope and depositing the sealed envelope with the United States Postal Service by  
11 first class mail with the postage prepaid:  
12

13                   SEE NEXT PAGE  
14

15                   The envelope was addressed and mailed as follows:  
16

17                   CHP OFFICER G. CORNWELL  
18                   CALIFORNIA HIGHWAY PATROL  
19                   2027 THIRD STREET  
20                   OROVILLE, CA 95965  
21

22                   I declare under penalty of perjury under the laws of the State of California that the  
23 foregoing is true and correct.  
24

25                   Dated: October 2, 2007  
26

27                     
28                   Matthew Anderson  
29

**DOCUMENTS SERVED:**

1. Summons
2. Complaint
3. Civil Case Cover Sheet
4. Public Notice
5. Order Setting Initial Case Management Conference and ADR Deadlines
6. Case Management Standing Order (Magistrate Judge Maria-Elena James)
7. Standing Order RE: Discovery and Dispute Procedures for Cases Assigned or Referred to Mag. Judge María-Elena James
8. Joint Case Management Statement and [Proposed] Case Management Order (blank)
9. Notice of Trial Assignment to U.S. Mag. Judge and Order to File Consent/Request for Reassignment Form
10. Consent to Assignment or Request for Reassignment (blank)
11. Notice of Assignment of Case to a U.S. Mag. Judge for Trial
12. Consent to Proceed Before a U.S. Mag. Judge (blank)
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5 Attorneys for Plaintiff  
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**IN THE UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA - SAN FRANCISCO**

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		Case No. C07 4336 MEJ
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE 9-19-07 11:29 am	
NAME OF SERVER (PRINT) <u>Tanya Thomas, Sac. Co. 2005-26</u>	TITLE Registered California Process Server	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served:  <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:  <input type="checkbox"/> Returned unexecuted:  <input checked="" type="checkbox"/> Other (specify): Substitute Service on State of California by leaving with Will Grayson - Sargent at 1300 I Street Sacramento, CA		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL <del>\$0.00</del> \$65
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on <u>9/19/07</u> Date	 <i>Signature of Server</i>	
<u>1537 Fourth Street, PMB 152, San Rafael, CA 94901</u> <i>Address of Server</i>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

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2                   **DECLARATION OF MAILING, Case No. C07 4336 MEK**

3                   I, Matthew Anderson, certify that I am not a party to the proceeding herein, that I am and  
4 was at the time of service over the age of 18 years old, and a resident of the State of  
5 California.  
6

7                   My business address is 1537 Fourth St, PMB 152, San Rafael, CA 94901.  
8

9                   On September 20, 2007 I mailed from San Rafael, CA the following documents by  
10 enclosing them in an envelope and depositing the sealed envelope with the United States Postal  
11 Service by first class mail with the postage prepaid:  
12

13                   SEE NEXT PAGE  
14

15                   The envelope was addressed and mailed as follows:  
16

17                   STATE OF CALIFORNIA  
18                   1300 I STREET  
19                   SACRAMENTO, CA 95814  
20                   ATTN: EDMUND BROWN, JR.  
21

22                   I declare under penalty of perjury under the laws of the State of California that the  
23 foregoing is true and correct.  
24

25                   Dated: September 20, 2007  
26

27                     
28                   Matthew Anderson  
29

1  
2       **DOCUMENTS SERVED:**  
3

- 4  
5       1. Summons  
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12      Referred to Mag. Judge Maria-Elena James  
13      8. Joint Case Management Statement and [Proposed] Case Management Order  
14      (blank)  
15      9. Notice of Trial Assignment to U.S. Mag. Judge and Order to File  
16      Consent/Request for Reassignment Form  
17      10. Consent to Assignment or Request for Reassignment (blank)  
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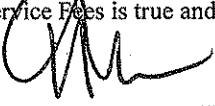
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19 CALIFORNIA HIGHWAY PATROL;  
20 CALIFORNIA HIGHWAY PATROL  
21 COMMISSIONER MIKE BROWN;  
22 SARGENT S. MUDERS, Badge No. 9613,  
23 individually and in his official capacity as a  
24 CALIFORNIA HIGHWAY PATROL  
25 Officer; OFFICER M.E. ORTIZ, Badge  
Officer; OFFICER G. CORNWELL, Badge No. 10569,  
individually and in his official capacity as a  
CALIFORNIA HIGHWAY PATROL  
Officer; and DOES 1 through 100,  
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Defendants. }  
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9 Service by first class mail with the postage prepaid:

10                   SEE NEXT PAGE

11                   The envelope was addressed and mailed as follows:

12                   CALIFORNIA HIGHWAY PATROL  
13                   1300 I STREET  
14                   SACRAMENTO, CA 95814  
15                   ATTN: MIKE BROWN

16                   I declare under penalty of perjury under the laws of the State of California that the  
17 foregoing is true and correct.

18                   Dated: September 20, 2007

19                     
20                   Matthew Anderson

**DOCUMENTS SERVED:**

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